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June 29, 2007

## VIA HAND DELIVERY

Marlene H. Dortch  
Secretary, Office of the Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**FILED/ACCEPTED**

**JUN 29 2007**

Federal Communications Commission  
Office of the Secretary

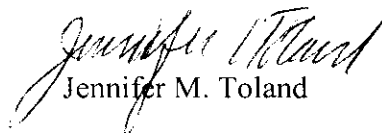
**Re: *Petition of James Cable, LLC for Waiver from EAS Requirements***

Dear Secretary Dortch:

Enclosed for filing is an original and four copies of James Cable, LLC's Petition for Waiver from the Commission's Emergency Alert System Requirements ("Petition") for twelve of its cable systems. Also, in conjunction with the Petition is an original and four copies of a request that the petition be withheld from public inspection pursuant to 47 C.F.R. § 0.459.

If you have any questions regarding this filing, please contact the undersigned at (202) 973-4200.

Sincerely,

  
Jennifer M. Toland

Enclosures

cc: Derek Poarch, Chief, Public Safety and Homeland Security Bureau

No. of Copies rec'd  
List A B C D E

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**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

**FILED/ACCEPTED  
JUN 29 2007**

*Federal Communications Commission  
Office of the Secretary*

In the Matter of	)	
	)	
Petition for Waiver of the Commission's	)	FO Docket No. 91-301
Emergency Alert Requirements for	)	FO Docket No. 91-171
Cable Television Systems	)	

To: Marlene H. Dortch, Secretary  
Office of the Secretary

**REQUEST THAT MATERIALS SUBMITTED TO THE COMMISSION BE  
WITHHELD FROM PUBLIC INSPECTION**

Pursuant to 47 C.F.R. § 0.459, James Cable, LLC ("James Cable") respectfully requests that the information being submitted in its latest Petition for Waiver from the Commission's Emergency Alert System ("EAS") Requirements for Cable Television Systems, not be made routinely available for public inspection. Since financial information and other proprietary information about James Cable is interspersed throughout, it is not feasible to separate the confidential information from the non-confidential information.

The EAS petition contains highly sensitive business and financial information about the operations of James Cable. This includes proprietary subscriber information and general financial background information. James Cable has not previously disclosed this information to the public or to third parties who are not fiduciaries or held to confidentiality arrangements. James Cable has taken extensive measures to avoid disclosure of the confidential information to third parties, through employee confidentiality agreements and by limiting access only to key personnel.

If disclosed, the information would likely cause substantial competitive injury to James Cable. As explained in the Petition for Waiver from the EAS requirements, James Cable faces significant competition from DBS providers. Those DBS providers could use the information to their advantage to target James Cable's customers.<sup>1</sup>

The FCC's public disclosure regulations implement, and incorporate, Exemption 4 of the Freedom of Information Act, 5 U.S.C. §552(b)(4), and the Trade Secrets Act, 18 U.S.C. § 1905. See 47 C.F.R. §0.457(c)(5) and (d). Under Exemption 4, information is exempt from public disclosure if it is (1) commercial or financial in nature, (2) obtained from a person, and (3) privileged or confidential in nature. 5 U.S.C. §552(b)(4). The information covered by this request is exempt from public disclosure under Exemption 4 of the FOIA and the FCC's regulations because it constitutes commercial and financial information, obtained from a person, which is confidential in nature.<sup>2</sup>

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<sup>1</sup> For example, Echostar previously directed a campaign to target the customers of a cable operator who was experiencing financial difficulty, warning the subscribers that the cable operator was about to go out of business and advising them that they would lose video programming unless they signed with Echostar's Dish Network. Monica Hogan, *Rural Weakness? DBS Merger Roils Small Ops' World*, Multichannel News (Jan. 21, 2002) at [http://www.findarticles.com/cf\\_0/m3535/3\\_23/82626449/print.jhtml](http://www.findarticles.com/cf_0/m3535/3_23/82626449/print.jhtml).

<sup>2</sup> Under Exemption 4 of the FOIA, the terms "commercial" and "financial" are to be given their "ordinary meaning", and thus include information in which a submitter has a "commercial interest." *Public Citizen Research Group v. FDA*, 704 F.2d 1280, 1290 (D.C. Cir. 1983); accord, *Washington Research Project, Inc. v. HEW*, 504 F.2d 238, 244 n.6 (D.C. Cir. 1974), cert. denied, 421 U.S. 963 (1975). "Commercial interest" has been interpreted broadly to include anything "pertaining or relating to or dealing with commerce." *American Airlines, Inc. v. National Mediation Bd.*, 588 F.2d 863, 870 (2d Cir. 1978). The term "person", for FOIA purposes, includes entities such as James Cable. See, e.g., *Critical Mass Energy Project v. Nuclear Regulatory Comm'n*, 830 F.2d 871 n.15 (D.C. Cir. 1987) ("For FOIA purposes a person may be a partnership, corporation, association, or public or private organization other than an agency"). Where submission of information is mandatory, information is confidential or privileged under Exemption 4 if, among other things, disclosure is likely to cause substantial harm to the competitive person from whom the information was obtained. *Judicial Watch, Inc. v. Export-Import Bank*, 108 F. Supp. 2d 19, 28-29 (D.D.C. 2000)

Similarly, Section 1905 of Title 18 of the United States Code makes it unlawful for federal government agencies or employees to disclose information relating to "the trade secrets, processes, operations, or to the identity, confidential statistical data, amount or source of any income, profits, losses, or expenditures of any person, firm, partnership, corporation, or association ..." Information that is exempt from release under Exemption 4 of the FOIA is *prohibited* from being disclosed, under 18 U.S.C. § 1905, unless disclosure is "authorized by law" by another statute other than the FOIA.<sup>3</sup> Because no other statute authorizes the release of the information at issue here, disclosure of the Documents is prohibited by the criminal provisions of 18 U.S.C. §1905.<sup>4</sup>

The foregoing demonstrates, by a preponderance of the evidence (*see* 47 C.F.R. § 0.459(d)(2)), that the information at issue is confidential within the meaning of Exemption 4 of the FOIA and the rules of the Federal Communications Commission, and that disclosure is prohibited by 18 U.S.C. §1905. James Cable therefore requests that the submitted information be deemed confidential, that the FCC prohibit their public disclosure or inspection, and that James Cable be informed of the FCC's determination on this issue.

This petition presents only a preliminary explanation of the bases for this request for confidential treatment. It would be unduly burdensome at this time to provide a more detailed and particularized justification on a page-by-page basis, when it is not presently known whether public disclosure of the information will be sought. Accordingly, we request that, in the event a

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(citing *Critical Mass*, 975 F.2d at 878). As explained above, disclosure is likely to cause competitive harm.

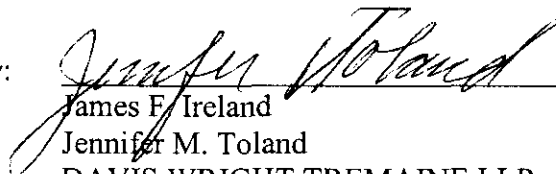
<sup>3</sup> *See Chrysler Corp. v. Brown*, 441 U.S. 281 (1979) (Exemption 4 and 18 U.S.C. § 1905 are "coextensive", and §1905 prohibits the disclosure of confidential business information unless release is authorized by a federal statute other than the FOIA); *see also* 47 C.F.R. § 0.457(c)(5) and (d).

request for disclosure of any of these documents is received by the FCC, James Cable be provided with notice of, and an opportunity to object to, any such request prior to release of the Documents. *See* 47 C.F.R. § 0.459(d)(1). Additionally, James Cable requests that the information remain confidential and upon the Commission's determination of the EAS petition, it be returned to James Cable. If the Commission has any questions regarding this petition, please contact undersigned counsel at the address below.

Respectfully submitted,

James Cable, LLC

By:



James F. Ireland

Jennifer M. Toland

DAVIS WRIGHT TREMAINE LLP

1919 Pennsylvania Avenue, NW – Suite 200

Washington, DC 20006

202.973.4200

June 29, 2007

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<sup>4</sup> *See CNA Fin. Corp. v. Donovan*, 830 F.2d 1132, 1151 (D.C. Cir. 1987).

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Petition for Waiver of the Commission's	)	FO Docket No. 91-301
Emergency Alert Requirements for	)	FO Docket No. 91-171
Cable Television Systems	)	
To: Marlene Dortch, Secretary		
Office of the Secretary		

**PETITION FOR WAIVER FROM  
EMERGENCY ALERT SYSTEM REQUIREMENTS**

*I. Introduction*

This petition is submitted on behalf of James Cable, LLC. ("James Cable") to request additional waivers for twelve of its cable systems from compliance with the Emergency Alert System ("EAS") requirements in Section 11.11(a) of the Commission's rules. James Cable is seeking waivers of at least 12 months, until at least June 30, 2008 for these twelve very small cable systems. *See Attachment A.*

On February 15, 2006, James Cable filed with the Commission a Petition for Waiver from EAS Requirements ("February 2006 Petition for Waiver") for thirteen of its smallest systems on financial hardship grounds. On July 3, 2006, the Enforcement Bureau issued a Public Notice granting a one-year waiver, until June 30, 2007, to six of these systems.<sup>1</sup> *See Attachment B.* The Bureau denied James Cable's request for the other seven systems on the basis that James Cable failed to demonstrate that it would suffer undue financial hardship from

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<sup>1</sup> *EAS Waiver Extensions Granted to Very Small Cable Systems*, Public Notice, DA-06-1373, 2006 FCC LEXIS 3671 (released July 3, 2006) (hereafter "Public Notice").

complying with the Commission's rules.<sup>2</sup> However, James Cable continues to face enormous financial strain in implementing EAS requirements in the systems listed in Attachment A, several of which serve fewer than 10 subscribers. James Cable also faces significant financial strain in implementing the Commission's EAS requirements in its Huntington, TX system. Due to an administrative oversight, the Huntington, TX system was not included in James Cable's February 2006 Petition for Waiver. However, the system is one of James Cable's smallest systems and is among the poorest performing financially.

## **II. James Cable's Systems Meet the Criteria for EAS Waivers<sup>3</sup>**

### ***A. James Cable Will Suffer Financial Hardship if Required to Comply with the Requirements in Section 11.11(a)***

In its Public Notice, the Bureau noted that, although EAS waivers should be limited to the extent possible, immediate imposition of EAS requirements on some of the smaller cable systems could "cause significant economic hardship."<sup>4</sup> Bringing James Cable's smallest systems into immediate compliance simply is not economically feasible. (*See* financial information in **Attachment C**). The financial position of these systems is unimproved since

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<sup>2</sup> Public Notice at 2.

<sup>3</sup> *See Amendment of Part 7 of the Commission's Rules Regarding the Emergency Broadcast System*, Second Report and Order, 12 FCC Rcd 15503 (1997). *See also Amendment of Part 11 of the Commission's Rules Regarding the Emergency Alert System*, Report and Order, EB Docket No. 0166, RM-9156, RM-9215; ¶ 73 (rel. Feb. 26, 2002) (underscoring that the Commission "will continue to grant waivers of the EAS rules to small cable systems on a case-by-case basis upon a showing of financial hardship"). In the 2002 Report and Order, the Commission reiterated the information that must be contained in the waiver request: "(1) justification for the waiver, with reference to the particular rule sections for which a waiver is sought; (2) information about the financial status of the requesting entity, such as a balance sheet and income statement for the two previous years (audited, if possible); (3) the number of other entities that serve the requesting entity's coverage area and that have or are expected to install EAS equipment; and (4) the likelihood (such as proximity or frequency) of hazardous risks to the requesting entity's audience." *Id.*

<sup>4</sup> Public Notice at 2.

James Cable filed its February 2006 Petition for Waiver. Indeed, their financial position is precarious at best, as all of these systems continue to lose subscribers. (*See* Attachment A.)

The requirement of full EAS compliance for these systems would result in serious financial hardship to James Cable. James Cable estimates that the cost of an EAS system for each cable system headend would be approximately \$8,000.00 per headend. According to these figures, James Cable would need to invest \$96,000 in these small systems in order to bring them all into compliance. This estimate is consistent with the FCC's cost estimates of \$6,000 to \$10,000 per headend, as outlined in the FCC's 1997 Report and Order. Amendment of Part 73, Subpart G, of the Commission's Rules Regarding the Emergency Broadcast System, Second Report and Order, 12 FCC Rcd. 15503, ¶ 23 (rel. Sep. 29, 1997). However, contrary to what the FCC believed at the time of the Second Report and Order, the anticipated equipment cost reductions that would render compliance for small cable systems less burdensome has not materialized (even with the availability of decoder-only units). *Id.* at ¶ 25.

The prices for equipment and installation would impose significant per-subscriber costs on James Cable's smallest systems, which are already struggling with ever increasing programming costs. To pay for the equipment, James Cable would need to consider rate increases to its subscribers. The additional costs and the rate increases to cover such costs would only serve to further erode James Cable's existing subscriber base in a market in which James Cable is already exposed to vigorous competition from satellite providers. Even if James Cable did increase its rates, it is highly doubtful that James Cable would ever be able to recover \$8,000 per system from systems such as Stringtown, OK; Wampanucka, OK; and Sand Point, OK—each of which serves fewer than 10 subscribers.

James Cable simply is not in a position to raise rates further than is already necessary, as



all of the systems included in this Petition continue to lose subscribers at a steady rate. See Attachment A (reflecting subscriber losses since 2002). Between 2005 and 2007, James Cable's Wampanucka, OK system lost more than half of its subscribers—52.9%—dropping from 17 subscribers to 8 subscribers. Other systems have not fared much better, and report losses of 41.7% (Sand Point, OK), 40.0% (Stringtown, OK) and 30.2% (Orange Lake, FL). Moreover, prospects for new subscribers in these communities are not promising. If James Cable does not receive waivers for these systems, it will likely have no option but to sell or shut them down.

***B. Other Entities in the Area Provide Emergency Alert Information***

There are various entities in each of the communities that inform customers of national, state, and local emergencies. Radio broadcast stations, both on the FM and AM band, and TV broadcast stations serving each of the local communities are required to transmit national EAS messages, and would also likely provide coverage of state and local emergencies.<sup>5</sup> Various other entities voluntarily participate in the national level EAS, including major television and cable networks.<sup>6</sup> For weather-related emergencies (the primary risk facing these communities), many of the local public safety departments have sirens in place to warn residents of impending danger.

In the event of a national emergency, James Cable's basic tier subscribers would have access to EAS alerts through local broadcast stations (the majority of what is offered on the basic service tier) and the national broadcast programming of ABC, CBS, FOX, NBC and PBS.<sup>7</sup> For subscribers who also receive expanded basic or other tiers of service, a substantial number of the programming services would transmit national emergency alerts or otherwise provide

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<sup>5</sup> 47 C.F.R. §11.11(a).

<sup>6</sup> See 47 C.F.R. § 11.43 (2001) (identifying each of the industry entities voluntarily participating in the national level EAS).

<sup>7</sup> See 47 C.F.R. § 11.43 (2001).

information about national, state and local emergencies. Those sources include the cable programming networks that voluntarily participate in EAS and who transmit national EAS messages, such as The Weather Channel, ESPN, VH-1, MTV, HBO, Disney Channel, Nickelodeon, Showtime and others.<sup>8</sup>

***C. Emergency Risks in Each of the Communities are Localized Risks***

The James Cable systems that are the subject of this waiver request are unlikely targets for a terrorist attack or other national emergency. The risks faced by these remote communities served by James Cable's systems are predominantly localized weather-related risks. As noted above, in many of the communities where these systems are located, local public safety departments have installed warning sirens, primarily for tornado alerts.

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<sup>8</sup> See 47 C.F.R. § 11.43 (2001).

### III. Conclusion

James Cable recognizes the importance of the EAS and continues to work diligently to bring its smallest systems into compliance with the Commission's EAS requirements. Indeed, since the time that James Cable filed its initial request for waiver from EAS requirements in June 2002, it has reduced the number of systems for which it respectfully requests waivers from 45 to 12. Despite this progress, James Cable continues to face enormous financial strain in bringing its smallest cable systems into compliance with the Commission's EAS requirements. The granting of a 12-month waiver would enable James Cable to ascertain the most effective and cost efficient manner to bring its smallest systems into EAS compliance, or in the alternative, to shut down or sell these systems.

Respectfully submitted,

JAMES CABLE, LLC

By: 

James F. Ireland

Jennifer M. Toland

DAVIS WRIGHT TREMAINE LLP

1919 Pennsylvania Avenue, NW, Suite 200

Washington, DC 20006

202-973-4200

June 29, 2007

**CERTIFICATION**

I, Daniel Shoemaker, hereby certify that the statements made in the foregoing Petition for Waiver are made in good faith and are true and correct to the best of my knowledge, information and belief.

A handwritten signature in black ink, appearing to read 'James Cable', is written over a horizontal line.

James Cable, LLC

June 29, 2007

**ATTACHMENT A**  
**(Systems Requesting 12 Month Waivers)**

## Attachment A

### SYSTEMS REQUESTING 12-MONTH WAIVERS

State	System Headend	2002 Subscribers	2005 Subscribers	2007 Subscribers
AL	Cleburne Co.	110	83	70
AL	Hackleburg	282	156	135
AL	Phil Campbell	544	283	240
FL	Hawthorne	297	189	164
FL	Orange Lake	661	397	277
FL	Steinhatchee	492	473	380
GA	Crawford	425	278	218
GA	Crawfordville	111	83	62
OK	Stringtown	27	15	9
OK	Wampanucka	29	17	8
OK	Sand Point	22	12	7
TX	Huntington	n/a	n/a	168

## **ATTACHMENT B**

**(July 3, 2006 Public Notice)**



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

News Media Information 202 / 418-6  
Internet: <http://www.fcc.gov>  
TTY: 1-888-835-4741

DA 06-1373

July 3, 2006

## EAS WAIVER EXTENSIONS GRANTED TO VERY SMALL CABLE SYSTEMS

By this Public Notice, the Enforcement Bureau (Bureau) of the Federal Communications Commission (Commission) extends the waivers of the Emergency Alert System (EAS) requirements under Part 11 of the Commission's Rules, 47 C.F.R. Part 11, previously granted to the small cable television systems listed in Appendices A and B. Specifically, the waivers previously granted to the systems listed in Appendix A and Appendix B are extended until June 30, 2007. Because these previously granted waivers expired on June 30, 2006, we grant them *nunc pro tunc* back to June 30, 2006.

## BACKGROUND

In 1994, the Federal Communications Commission (FCC) adopted rules requiring cable systems to participate in EAS,<sup>1</sup> as mandated by section 624(g) of the Communications Act.<sup>2</sup> In 1997, the Commission amended the EAS rules to provide financial relief for small cable systems by extending the deadline for cable systems serving fewer than 10,000 subscribers to begin complying with the EAS rules until October 1, 2002.<sup>3</sup>

Subsequently, the Commission set standards under which these small systems could request waivers of the October 1, 2002 deadline.<sup>4</sup> Over 300 cable systems received such extensions, which were to last one, two, or three years. The last group of extensions was due to expire on October 1, 2005. On September 23,

<sup>1</sup> *Amendment of Part 73, Subpart G, of the Commission's Rules Regarding the Emergency Broadcast System*, Report and Order and Further Notice of Proposed Rulemaking, 10 FCC Rcd 1786 (1994), *reconsideration granted in part, denied in part*, 10 FCC Rcd 11494 (1995) (*First Report and Order*).

<sup>2</sup> See Cable Television Consumer Protection and Competition Act of 1992, Pub. L. No. 102-385, §16(b), 106 Stat. 1460, 1490 (1992) (Cable Act of 1992). The Cable Act of 1992 required cable system to participate in the EAS by adding subsection (g) to Section 624 of the Communications Act of 1934, 47 U.S.C. § 544(g).

<sup>3</sup> *Amendment of Part 73, Subpart G, of the Commission's Rules Regarding the Emergency Broadcast System*, Second Report and Order, FO Docket Nos. 91-171/91-301, 12 FCC Rcd 15503, 15516-18 (1997) (*Second Report and Order*).

<sup>4</sup> An EAS waiver request must contain the following: justification for the waiver, with reference to the particular rule section for which a waiver is sought; information about the financial status of the entity, such as a balance sheet and income statement for the previous two years; the number of other entities that serve the requesting entity's coverage area and that are expected to install EAS equipment; and the likelihood (such as proximity or frequency) of hazardous risks to the requesting entity's audience. See *Amendment of Part 7, of the Commission's Rules Regarding the Emergency Broadcast System*, Second Report and Order, 12 FCC Rcd 15503 (1997).



2005, the Enforcement Bureau released an Order that extended all existing EAS cable waivers from October 1, 2005 to March 1, 2006.<sup>5</sup> Subsequently, 56 small cable providers filed requests for further extension of the March 1 deadline for some or all of their systems. In a Public Notice dated March 1, 2006 (*March EAS Public Notice*),<sup>6</sup> the Bureau extended this deadline from March 1, 2006 to June 30, 2006, to allow the Bureau time to review the financial information filed in support of the waiver requests.

## DISCUSSION

EAS provides a critical public safety service to the American public, promoting the safety of life and property through a national alert and warning system. Thus, any waivers of the EAS requirements on financial hardship grounds must be carefully considered and limited to the extent possible. Nonetheless, the Commission has recognized that compliance with these requirements could cause significant economic hardship in the case of very small cable systems. The Commission, therefore, has provided for relief from the EAS requirements in cases where a party can demonstrate that compliance with our rules would impose such significant financial burden. On this basis, we have reviewed the financial and other information submitted by the cable systems that are subject to the Public Notice of March 6, 2006, and conclude that further extensions of the waivers of the EAS obligations set forth in Part 11 of the Commission's rules are warranted for the cable systems listed in Appendices A and B until June 30, 2007.

With respect to the systems listed in Appendix A, in 2002, the Bureau granted Classic Communications, Inc. (Classic) temporary EAS waivers for 559 of its cable television systems.<sup>7</sup> In February, 2006, Classic filed a request for an extension of the waivers due to financial hardship for 58 of the original 559 systems until March 1, 2009, listed in Appendix A, attached hereto. Classic noted that the vast majority of the systems for which waivers had been granted had either been sold, shut down, or had come into compliance. In April 2006, Classic submitted financial statements in support of its financial hardship request. The Bureau conducted economic analyses of these systems based on Classic's financial information and has determined that compliance with the EAS rules would cause financial hardship to these small systems. Accordingly, we will grant an extension of the waiver for these systems. Because, in our experience, circumstances can change regarding the status of cable systems, as they have for many of the Classic systems for which the waiver was originally granted, we are reluctant to grant the extension to March 1, 2009 as requested by Classic. In light of this, we will grant a one-year extension of the Classic systems listed in Appendix A until June 30, 2007.<sup>8</sup>

The Bureau also received requests for extension of waivers from various cable operators for cable systems listed in Appendix B. These cable operators alleged financial hardship for these cable systems and, in support of their claim, included financial documents and other information. These cable systems represent some of the very smallest cable systems in the country, none of which serves more than 100 customers, and which in the aggregate serve fewer than 17,000 customers nationwide. The majority of these systems request that the Commission extend the waivers until October 1, 2008, or the resolution of the issues raised in the EAS docket.<sup>9</sup> The Bureau conducted economic hardship analyses of these systems

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<sup>5</sup> *Petitions for Waiver of the Emergency Alert System Rules filed by Various Cable Television Systems*, Order, 20 FCC Rcd 14818 (2005) (2005 Order).

<sup>6</sup> *EAS Waivers for Certain Small Cable Television Systems Requesting Waiver Extensions Extended to June 30, 2006; Additional Information to Support Certain Pending EAS Waiver Requests Sought by April 15, 2006*, Public Notice, DA-06-483, 21 FCC 2d 2101, (released March 1, 2006).

<sup>7</sup> *Classic Communications, Inc.*, Order, DA 02-2446, 17 FCC Rcd at 19350.

<sup>8</sup> As mentioned above, these waiver extensions are granted *nunc pro tunc* back to June 30, 2006.

<sup>9</sup> See, e.g. *Carson Communications L.L.C., Request for Extension of Temporary Waivers of EAS Requirement in 47 CFR § 11.1*, filed July 14, 2005, supplemental filing February 24, 2006.

based on the financial information submitted and has determined that compliance with the EAS obligations under Part 11 would cause financial hardship to these small systems, and that a further extension of their waivers is justified. As is the case with the Classic extensions, however, we are reluctant to grant these extensions for more than one year given our experience that circumstances regarding cable systems can change. Accordingly, we extend EAS waivers to the cable television systems listed in Appendix B until June 30, 2007.<sup>10</sup>

The cable companies listed in Appendix C also filed for extensions of their EAS waivers based on the alleged continued financial hardship that compliance with the Commission's rules would cause them. The Bureau has conducted a financial analysis of these requests, and has concluded that, except to the extent that any of their individual systems are listed in Appendices A or B, the cable companies listed in Appendix C have failed to show that they would suffer undue financial hardship from complying with the Commission's EAS rules. Accordingly, these requests for extensions of EAS waivers are denied.

Enforcement Bureau Contact: Bonnie Gay (202) 418-1199.  
News Media Contact: Janice Wise (202) 418-8165.

-FCC-

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<sup>10</sup> As mentioned above, these waiver extensions are granted *nunc pro tunc* back to June 30, 2006.

## APPENDIX A

### **Company Name: Cable Systems**

Classic Communications, Inc., d/b/a Cebridge Connections: Atkins, Charleston, Coal Hill, DeWitt, Dover, East Conway, Hazen, Hughes, London and Mt. Ida, AR; Anthony, Ellsworth, Kensington, Lincoln, McDonald, Oberlin, Saint Francis and Sterling, KS; Boyce and St. Joseph, LA; Fayette and Glasgow, MO; Bloomingdale and Knoxville, OH; Fairview, Heavener and Spiro, OK; Albany, Anson, Big Lake, Caldwell, Canadian, Clarendon, Crane, Electra, Grapeland, Hamlin, Hawkins, Henrietta, Junction, Krum, Lost Pines, Lowry Crossing, Lucas, Nocona, Olney, Paducah, Post, Quanah, Rotan, San Saba, Seymour, Shamrock, Sonora, Splendora and Tyler County, TX

## APPENDIX B

### **Company Name: Cable Systems**

Beck's Cable: Dix, Donnellson, Kell, Ohlman, Panama, and Rosamond, IL

Blue Mountain TV Cable: Seneca and Dayville, OR

Bocco Cable: Alma, WV

Branch Cable: Crosby and New Hebron, MS

Buford Communications: Cherokee County, TX

Cable Services, Inc.: Kulm, ND

Carson Communications: Axtell, Baileyville, Bern, Centralia, Denison, Effingham, Emmett, Goff, Havensville, Lake Dabinawa, Lakewood Hills, Morill, Muscotah, Onaga, Randolph, Reserve, Summerfield, Vermillion, Wetmore, White Cloud, and Whiting, KS

Cass Cable TV: Kampsville and Milton, IL

CenCom, Inc.: Dixon and Wyrot, NE

Cequel III Communications d/b/a Cebridge Connections: Auburn Falley, CA; Canyon, Culdesac, Harrison, Murray, and Riggins, ID; Westport, OR; Almira, Chinook Pass, Malaga, Royal City and Wilson Creek, WA

Charter Communications: Chamois, Cairo, Adair, Colcord, and Kellyville, OK; Enfield, IL; Tignal, GA; Annapolis, MO; Fleming, NE; Bradfordsville, KY; Lockwood, NV, Rockville, UT; Tryon, Depew, Cromwell, Wyandotte, and Hulbert, OK; Talmage, NE; Tangipahoa, LA; Osyka, MS; Mason City, NE; Ashe, NC; Dannebrog, NE; Agra, and Carney, OK; Kosse, TX; Dustin, Kansas, Glencoe and Cameron, OK; Locust Fork, AL; Washtucna and Prescott, WA; Texline, TX; Powers, OR; Los Alamos Town, CA; High Rolls, NM; Beattie, KS; Hartwell Villas, OR; New Meadows, ID; Halfway, OR; Skyline, AL; Bryantsville, KY; Ralston, OK; Combine, TX; Angellus Oaks, CA; and Schuler, OK

Classic Communications, d/b/a Cebridge Connections: East Conway, Hector, London, Geneseo, Luray, Natoma, Sylvan Grove, and Tipton, KS

Consolidated Cable: Ashton, Big Springs, Comstock, Farnam, Lewellen, and Maxwell, NE

DuCom Cable T.V.: Kirby, New Freeport, Nineveh, Sycamore and Wind Ridge, PA

Glass Antenna Systems: Town of Fillmore, IN

Glenwood Telecom: Guide Rock and Lochland, NE

Goldfield Communications Services: Badger Woolstock, IA

Green Hills Multi-Media: Tina, MO

Grove Communications: Seney, MO

Hamilton County Cable: Blue Mt. Lake, NY

Herr Cable: Lairdsville, PA

Hyde County Cablevision: Engelhard and Swanquarter, NC

James Cable: Cleburne County, AL; Crawfordville and Pinehurst, GA; Stringtown, Wampanucka, and Sand Point, OK

Karban TV Systems: Land O'Lakes, WI

Lone Pine Television: Alabama Hills, CA

Millennium Digital Media: Thorpe, Creston, Marblemont, Entiat and Mansfield, WA; Vermontville, MI

Milestone Communications: Huntersville and Cass, WV

Neu Ventures d/b/a Mountain TV Zone: Valentine, TX

Nex-Tech, Inc.: Burr Oak, Kirwin and Lebanon, KS

North American Communications: Big Falls, Big Fork, Dexter, Easton, Fountain, Garden City, Hayward, New Market Twp, Mapleview, Lewisville, New Auburn, Ostrander, Plato, Racine, Red Rock Twp, Rose Creek and Vernon Center, MN

Northland Communications: Meservey and Thornton, IA

Nova Cablevision: Cameron, Little York and Trivoli, IL

PEC Cable: Nichols, IA

Pine Rural TV Cable: Haworth, OK

Pinpoint Communications: Bartley, Culbertson, Orleans, Republican City, and Stamford, NE

Prairieburg Telephone Co.: Prairieburg, IA

Project Services, Inc.: Hanley Falls, MN

US Cable of Coastal-Texas: Hudson and Keenesburg, CO; Brewster, Ceylon, Dannel, Granada, Northrop, Round Lake, and Storden, Dixon, NM

## APPENDIX C

Atlantic Broadband Finance  
Bocco Cable  
Boycom Cablevision  
Bradley Communications  
Buford Communications, d/b/a Alliance Comm. Network  
Cable Communications of Willsbobro  
Cable Services, Inc.  
Carson Communications  
CCS, d/b/a Community Cable  
Cebridge Connections  
CenCom, Inc.  
Cequell III Comm, d/b/a Cebridge Connections  
Charter Communications  
Com-Link, Inc.  
Consolidated Cable  
Curtis Cable TV  
Glass Antenna Systems  
Glenwood Telecomn  
Golden West Cablevision  
Goldfield Comm. Services  
Great Plains Cable Television, Inc.  
Green Hills Multi-Media  
Grove Communications  
Hamilton County Cable  
Hart Cable, Inc.  
Hawkeye Telephone Co.  
Howard Cable  
Hubbal Co-Op Cable  
Ind. Cable Co  
J&N Cable Systems  
James Cable  
Karban TV Systems  
Livermore Cable  
Lone Pine Television  
LongView Cable & Data  
Lycom Communications  
Martelle Cooperative Telephone Association  
Milestone Communications  
Milford Cable TV  
Millennium Digital Media  
Minerva Valley Cablevision  
Moosehead Enterprises  
Neu Ventures, d/b/a Mountain TV Zone  
New Century Comm.  
NewWave Comm.  
Nex-Tech, Inc.  
North State Cablevision  
Northland Cable Properties  
Nova Cablevision  
Oak Grove Heights Cable  
Oldtown Community Systems

Pinpoint Communications  
Polaris Cable  
Prairieburg Telephone Co.  
Project Services, Inc.  
RGA Cable  
Rio Cablevision  
Ritter Cable Corp.  
Tip Top Communications  
Tri-County Telephone Company, Inc.  
Trust of Mississippi  
Upper Peninsula Comm.  
US Cable of Coastal-Texas  
Waterville Cable  
Whitehall Cable TV

## **ATTACHMENT C**

**(Financial Information)**

# **CONFIDENTIAL**